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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,590	03/18/2004	Folu Okunseinde	AUS920031041US1	7383

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EXAMINER	
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ART UNIT	PAPER NUMBER
2437	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/803,590	OKUNSEINDE ET AL.	
	Examiner	Art Unit	
	TECHANE J. GERGISO	2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 March 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8 and 28-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8 and 28-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 09, 2009 has been entered. Claims 1-8 and 28-33 have been examined and are pending.

Claim Objections

2. Claims 1, 2, 6, 9, 28 and 29 are objected to because of the following informalities: claim 1: lines 7; claim 2: lines 2, 6; claim 3: line 4; claim 6: line 3, 4; claim 28: lines 5, 8; and claim 29: line 2; claim 30: lines 8; 13, 16; claim 32 line 2, 4; and claim 33, line recite "the intermediate device is **adapted to** provide". The claims do not **positively recited a definite action, for example, "a remote device providing** " and instead they suggest what the remote device is "**adapted to provide"** and it renders the claims ambiguous to distinguish what the device is adapted to and not adapted to. Appropriate correction is required.

Response to Arguments

3. Applicant's arguments with respect to claims 1-8 and 28-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-8 and 28-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaler et al. (hereinafter referred to as Kaler, US Pub No.: 2004/0139322 A1) in view of Lee IV et al. (hereinafter referred to as Lee, US Pub, No.: 2005/0188072).

As per claim 1:

Kaler discloses a method, comprising:

determining security information associated with at least one object of transactions wherein the object is to be transmitted from a source device to a target device along a transmission .path that includes at least one intermediate device (*0049*);

determining if an adjacent intermediate device in the transmission path is adapted to provide a level of security (*0029*); and

transmitting the object to the adjacent intermediate device in the transmission path in response to determining that the adjacent intermediate device is adapted to provide the level of security (*0110; 0119*).

Kaler does not explicitly disclose providing a level of security indicated by at least a portion of the security information. Lee, in analogous art, however, disclose providing a level of security indicated by at least a portion of the security information (0043; security specific policy; 0054; 0094; level of policy application; 0106-0107). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Kaler to include a level of security indicated by at least a portion of the security information. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do to dynamically construct a protocol to facilitate communication between nodes and across multiple nodes and utilize policies associated with the nodes to specify protocol properties of the nodes and select a policy expression in a policy related to a node by another node to construct a protocol between the two nodes as suggested by Lee in (0007).

As per claim 2:

Kaler discloses a method, wherein the object is a business object, and wherein determining if the remote device is adapted to provide the level of security comprises:

transmitting to the adjacent intermediate device the transmission path information representative of the level of security that is desired (0049); and

receiving a response from the adjacent intermediate device the transmission path indicating that the adjacent intermediate device the transmission path is adapted to provide the desired level of security (0110; 0119).

As per claim 3:

Kaler discloses a method, wherein determining the security information comprises accessing a header portion of the object (0078; 0079; 0081).

wherein determining, if an adjacent intermediate device in the transmission path is adapted to provide a level of security indicated comprises performing at least one of (0016; 0030; 0081, 0110):

transmitting information representative of the level of security that is desired to the adjacent intermediate device in the transmission path prompts the intermediate device in the device in the transmission path to execute at least one module that allows the adjacent intermediate device in the transmission path to provide the level of security (0016; 0030; 0081, 0110); and

comparing the adjacent intermediate device in the transmission path to a list of trusted devices in the header portion of the object (0016; 0030; 0081, 0110);

wherein transmitting the object to the adjacent intermediate device in the transmission path comprises transmitting the object to an object handler module in the adjacent intermediate device in the transmission path (0039; 0052; 0067);

wherein the object handler module is a business integration adapter supporting connectivity options, the connectivity options comprising at least one of packaged applications, custom applications, legacy applications, databases, trading partners' system, and public information stores on the internet (0039; 0052; 0067);

wherein the object handler module supports at least one of event-driven real-time synchronous connections, asynchronous loosely coupled connections with trading

partners, synchronous on-demand connections to customers and synchronous tightly coupled connections to trusted trading partners (0039; 0052; 0067).

As per claim 4:

Kaler discloses a method, wherein determining the security information comprises determining security information relating to at least one of connection information, class information, trusted entities information, and logging capability information (0010; 0043).

As per claim 5:

Kaler discloses a method, wherein accessing the header portion of the object comprises accessing at least one header of a Simple Object Access Protocol message (0080; 0081; 0095).

As per claim 6:

Lee disclose determining an alternative intermediate device along a different transmission path that is adapted to provide the level of security represented in response to determining that the adjacent intermediate device in the transmission path is not adapted to provide the level of security (0100; identifies any routing assertions).

As per claim 7:

Kaler discloses a method, article and apparatus, comprising causing sending a message to the adjacent intermediate device in the transmission path instructing the adjacent intermediate

device to execute at least one module that allows the remote device to provide the level of security (0086).

As per claim 8:

Kaler discloses a method, article and apparatus, wherein determining the security information comprises determining the security information in response to receiving the object from a remote device (0033).

As per claim 28:

Kaler discloses a method, comprising:

receiving, at a first device, a request from a second device desiring to transmit at least one object, wherein the request (0049; Figure 5: 534; 546);

determining if the first device is adapted to provide a level of security represented by the security parameter (0029; Figure 5: 534; 546); and

transmitting an indication to the second device based on determining if the first device is adapted to provide the level of security (0110; 0119).

Kaler does not explicitly disclose providing a portion of security information associated with the object. Lee, in analogous art, however, disclose a portion of security information associated with the object (0043; security specific policy; 0054; 0094; level of policy application; 0106-0107). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system disclosed by Kaler to include

a portion of security information associated with the object. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do to dynamically construct a protocol to facilitate communication between nodes and across multiple nodes and utilize policies associated with the nodes to specify protocol properties of the nodes and select a policy expression in a policy related to a node by another node to construct a protocol between the two nodes as suggested by Lee in (0007).

As per claim 29:

Kaler discloses a method, where configuring the first device with at least one module that allows the first device the adaptability for providing the level of security (Figure 3: 300; 312).

As per claim 30:

Kaler discloses a method, where receiving the data object from the second device. (Figure 3: 311)

As per claim 31:

Lee discloses a method, wherein at least one intermediate device includes at least a first intermediate device and a second intermediate device;

wherein determining if an adjacent intermediate device in the transmission path is adapted to provide a level of security includes determining at the source device, wherein the adjacent intermediate device is the first intermediate device (0010; 0021; 0084);

wherein transmitting the object to the adjacent intermediate device comprises transmitting the object to the first intermediate device, and wherein in response to determining that the adjacent intermediate device is adapted to provide the level of security comprises in response to determining that the first intermediate device is adapted to provide the level of security (0084; 0094);

further comprising:

determining, at the first device, if a second device of the plurality of intermediate devices that is adjacent the first device is adapted to provide the level of security indicated by at least a portion of the security information (0094; 0104; 0108);

transmitting the object to the second device of the plurality of intermediate devices in response to determining that the second device is adapted to provide the level of security (0094; 0104; 0108); and transmitting the object to the target device (0094; 0104; 0108).

As per claim 32:

Lee discloses a method, further comprising determining an alternative intermediate device along a different transmission path that is adapted to provide the level of security represented in response to determining that at least one of the first intermediate device and the second intermediate device in the transmission path is not adapted to provide the level of security (0054; 0100).

As per claim 33:

Lee discloses a method, wherein at least one intermediate device includes a plurality of intermediate devices;

wherein determining if an adjacent intermediate device in the transmission path is adapted to provide a level of security comprises determining, at a previous device in the transmission path, a security level for each intermediate device of the plurality of intermediate devices 0084; 0094; 0100);

wherein transmitting the object to the adjacent intermediate device in the transmission path in response to determining that the adjacent intermediate device is adapted to provide the level of security comprises transmitting the object to each of the plurality of intermediate devices in the transmission path in response to determining that each of the plurality of intermediate devices is adapted to provide the level of security; further comprising: transmitting the object to the target device 0084; 0094; 0100)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the notice of reference cited in form PTO-892 for additional prior art.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Techane J. Gergiso whose telephone number is (571) 272-3784 and fax number is (571) 273-3784. The examiner can normally be reached on 9:00am - 6:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Techane J. Gergiso/

Examiner, Art Unit 2437

/Emmanuel L. Moise/

Supervisory Patent Examiner, Art Unit 2437